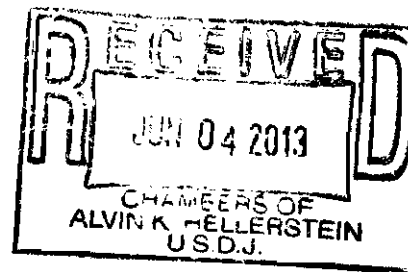


Hellerstein, A.

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

IN RE COMBINED WORLD TRADE CENTER
AND LOWER MANHATTAN DISASTER SITE
LITIGATION

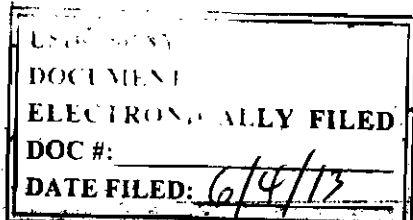
21 MC 102 (AKH)



STIPULATION AND ORDER OF
DISMISSAL AS TO

Envirotech Clean Air, Inc. only in:

All cases listed in Schedule A



ALVIN K. HELLERSTEIN, U.S.D.J.

STIPULATION AND ORDER

IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned, the attorneys of record for the parties to the individual actions listed in Schedule A, that whereas no party hereto is an infant or incompetent person for whom a committee has been appointed and no person not a party has an interest in the subject matter of the action, and based on the representation of the within defendant, and to the extent of Plaintiff(s) can so Stipulate that each claim, cross-claim and counterclaim asserted by and against defendant Envirotech Clean Air, Inc. only, with regard to claims filed by plaintiffs for 4 WFC a/k/a 250 Vesey Street, New York, New York only shall be and the same hereby are discontinued without prejudice as against defendant, Envirotech Clean Air, Inc. only, without costs to either party as against the other.

IT IS FURTHER STIPULATED AND AGREED, that should facts or circumstances derived from future discovery, or otherwise, come to light that indicate a relationship to the litigation and a basis of a claim against the defendant for whom this Stipulation is being entered, and/or should it come to light that the information provided by said defendant in support of its

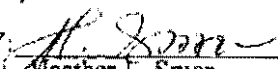
Case 1:06-cv-01521-AKH Document 124 Filed 06/03/13 Page 2 of 3

request of discontinuance at this time, be discerned in the future to have been inaccurate, false or misleading, plaintiff may re-assert its claim against said defendant by motion, stipulation or otherwise, and without the necessity of additional service of process, and in no event will said defendant raise any statute of limitations defense other than as may have been asserted based upon the date of filing of the original action, at the time that the action was originally commenced against said defendant.

This stipulation may be filed without further notice with the Clerk of the Court and defendant will obtain, if necessary, any Judicial "So Order" of this Stipulation and any other signatory, if necessary.

Dated: New York, New York
May 20, 2013

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New York, New York 10279
(212) 553-9205

By: 
Robert A. Grochow

SO ORDERED: 6/4/13


HON. ALVIN K. HELLERSTEIN

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SCHEDULE A

4 WFC PLAINTIFFS

Plaintiff	Docket Number
Eugeniusz Jastrzebowski	06cv05289
Tadeusz Kowalewski	06cv1521